

**BOARD OF COUNTY COMMISSIONERS  
LAKE COUNTY, FLORIDA**

**REGULAR MEETING**

**FEBRUARY 21, 2006**

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**COUNTY COMMISSIONERS**

**Catherine C. Hanson, Chairman  
Welton G. Cadwell, Vice Chairman  
Jennifer Hill, District #1  
Robert A. Pool, District #2  
Debbie Stivender, District #3**

**Cindy Hall, County Manager  
Sanford A. Minkoff, County Attorney  
James C. Watkins, Clerk to the Board**

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**DISCLAIMER**

**This booklet has been prepared for the convenience of the Board of County Commissioners in discussing matters before them. Every effort has been made to include all items to be discussed at this Board of County Commissioners meeting, however, Commissioners may add items, which are not a part of this Agenda, or items may be removed from consideration. While it has been the goal to present error-free information, we do not represent that documentation is without errors or omissions.**

**As a part of any public and formal meeting, the Board of County Commissioners may, from time to time, schedule a workshop during which they will receive information from staff, have discussions with staff and among themselves, and then proceed to give staff direction on the subject matter being discussed unless otherwise shown on the Agenda item. These discussions and workshops do not take the place of the formal public hearing process during which all public comment and formal action is taken.**

**The Board and staff welcome written comments prior to workshops and other meetings. If you have comments or questions regarding the subject matter of any Board action or workshop, please deliver your written comments to appropriate County staff or mail to the Board of County Commissioners, Post Office Box 7800, Tavares, FL 32778.**

## **ITEMIZED AGENDA**

**February 21, 2006**

9:00 A.M. Invocation

Pledge of Allegiance

### **I. AGENDA UPDATE**

Discussion regarding proposed revisions to today's Agenda.

### **II. MINUTE APPROVAL**

Tab 1 Approval of the following Minutes:

January 23, 2006	Special Joint Meeting – School Board & Municipalities
January 27, 2006	Visioning Retreat

### **III. CLERK OF COURT'S CONSENT AGENDA**

Tab 2 Approval of Clerk of Courts' Consent Agenda (Items 1 through 8):

1. Request to acknowledge receipt of list of checks or warrants paid prior to this meeting, pursuant to Chapter 136.06(1) of the Florida Statutes, which shall be incorporated into the Minutes as attached Exhibit A and filed in the Board Support Division of the Clerk's Office – Acknowledge receipt.
2. Contractor Bonds – New and Cancellation - Approval.
3. Property placed on the Lands Available List – Acknowledge receipt.
4. Received from the St. Johns River Water Management District Written Notice of Intended District Decision on Permit Application(s) in Lake County (Notice dated January 25, 2006); Batson's Greenhouses, Inc., Gene Batson, PO Box 1410, Mount Dora, FL 32756-1410, application number 2688. The District proposes to allocate 0.033 million gallons per day of ground water

for the irrigation of 6.5 acres of indoor foliage. The withdrawals used by this proposed project will consist of ground water from the Floridian Aquifer via four active wells in Lake County, located in Section 21, Township 19 South, Range 27 East, known as Heritage. Petitions for an administrative hearing on the above application must be filed within 26 days of the District depositing this written Notice of Intended District Decision in the mail – Acknowledge receipt.

5. Received from the Florida Public Service Commission, notice in re: Annual reestablishment of price increase or decrease index of major categories of operating costs incurred by water and wastewater utilities pursuant to Section 367.081(4)(a) F.S., Docket Number 060005-WS, Order Number PSC-06-0075-PAA-WS, Issued January 31, 2006. Any person whose substantial interests are affected by the action proposed by this order may file a petition for a formal proceeding, in the form provided by Rule 28-106.201, Florida Administrative Code. this petition must be received by the Director, Division of the Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, by the close of business on February 14, 2006 – Acknowledge receipt.
6. Received from the St. Johns River Water Management District receipt of legal notice regarding Reliable Peat Company JV, PO Box 491440, Leesburg, FL 34749-1440, application number 103164, proposal to withdraw 2.74 million gallons per day of surface water for a 173 acre peat mine. Withdrawals used by this proposed project will consist of surface water from an on-site lake via three proposed pumps in Lake County, located in Sections 5-8, Township 21 South, Range 24 East, known as Youth Camp Peat Mine. If interested in the listed application contact the St. Johns River Water Management District, 4049 Reid Street, PO Box 1429, Palatka, FL 32178-1429 – Acknowledge receipt.
7. Received the proposed budget for Fiscal Year 2005/2006, a copy of the Resolution 2006-07 designating the District's Agent and Registered Office Address, and a copy of Resolution 2006-09 identifying the Fiscal Year 2005/2006 meeting schedule for the newly established Cascades at Groveland Community Development District, pursuant to Chapter 190, Florida Statutes – Acknowledge receipt.

8. Satisfaction and Release of Fine against Robert Drescher, in the amount of \$250.00 – Order of Fine recorded in OR Book 02300, Pages 1510-1511 of the Public Records of Lake County, Florida – Approval and signature.

RECOMMENDATION: Approval

#### IV. **COUNTY MANAGER'S CONSENT AGENDA** (Tabs 3 through 27)

##### A. **Budget**

###### Tab 3

1. Budget transfer – General Fund, Department of Public Safety, Emergency Management Division. Transfer \$50,519.00 from Contractual Services to Personal Services (\$24,679.00), Operating Expenses (\$20,659.00), and Capital Outlay (\$5,181.00). Funds need to be reallocated to pay for a limited-term, part-time employee. The initial intention was to use outside contractors, so the majority of the funds were budgeted in Contractual Services. It has been determined that it would be more beneficial to hire an employee. Emergency Management requested and received approval to fund the position with the State Homeland Security Grant as long as the grant exists. Funds available in Contractual Services.

RECOMMENDATION: Approval

2. Budget transfer – Landfill Enterprise Fund, Department of Environmental Services, Covanta Contract Management Division. Transfer \$300,000.00 from Contractual Services to Utility Services. A new natural gas agreement with Covanta was approved by the Board of County Commissioners on November 22, 2005 and signed by the Chairman on December 20, 2005. A transfer of funds from one object code to another is required due to the new agreement. Funds available in Contractual Services. No new funds are required.

RECOMMENDATION: Approval

3. Budget transfer – County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$15,000.00 from Professional Services to Office Supplies. Additional funds are needed in the Office Supplies account to pay outstanding invoices and provide additional funds for future expenses. Funds available in Professional Services.

RECOMMENDATION: Approval

4. Budget transfer – County Fire Control Fund, Department of Public Safety, Fire Rescue Division. Transfer \$12,000.00 from Repair and Maintenance to Office Supplies. Additional funds are needed in the Office Supplies account to pay outstanding invoices and provide additional funds for future expenses. Funds available in Repair and Maintenance.

RECOMMENDATION: Approval

5. Budget transfer – Stormwater Management Fund, Department of Public Works, Engineering Division, Stormwater Section. Transfer \$800,000.00 from Special Reserve to Professional Services. Many Stormwater improvements have been identified over the past year due to the higher than average rainfall. There are additional projects that will need to be funded this year, for study and final design only. Funds available in Special Reserve.

RECOMMENDATION: Approval

6. Budget transfer – Landfill Enterprise Fund, Department of Environmental Services, Solid Waste Administration Division. Transfer \$13,425.00 from Reserve for Operations to Operating Supplies. Additional recycle bins are needed to meet increased citizen requests due to the increase in completed residential construction. Funds available in Reserve for Operations.

RECOMMENDATION: Approval

**B. Community Services**

Tab 4            Approval to advertise change to the Ordinance which address the operation of the Lake County Elder Affairs Coordinating Council.

RECOMMENDATION:                      Approval

Tab 5            Approval to amend the Annual Funding Agreements with the Boys and Girls Club of Lake and Sumter Counties, Inc.; Christian Care Center; Haven of Lake and Sumter Counties, Inc.; and Take Stock in Children Foundation, contingent on County Attorney approval; and to transfer unused funds as indicated.

RECOMMENDATION:                      Approval

**C. Employee Services**

Tab 6            Approval and acceptance of Waste Management's offer to reimburse Lake County for property damage caused by a Waste Management vehicle at a Lake County facility; and execution of appropriate document approving and authorizing settlement of County's claim for property damage.

RECOMMENDATION:                      Approval

**D. Growth Management**

Tab 7            Approval to refund \$35,775.00 to Masterpiece Homes due to duplicate payment of capacity fee which was incorrectly applied to the Division of Water Resources.

RECOMMENDATION:                      Approval

**E. Procurement Services**

Tab 8            Approval and execution of the Contract with AON Consulting, Inc. for various employee benefit consultant services in the annual amount of \$54,000.00.

RECOMMENDATION:                      Approval

Tab 9 Approval and execute the First Amendment to complete a Change Order to increase the cost of the project in the amount of \$11,560.00 for modifications in the design of the prototype fire station at Lake Jem, RSQ Number 05-056, Architectural Design for Fire Stations.

RECOMMENDATION: Approval

Tab 10 Approval of a modification to contract number 05PLBN6BUQDB with Sprint which currently provides for MAN telecommunication capacity at Fire Rescue facilities, to add this service at an additional facility, and to grant authority to staff to implement future similar supplemental requirements within a \$12,660.00 limit.

RECOMMENDATION: Approval

Tab 11 Approval of a change in Procurement procedure to formalize a requirement for BCC retroactive approval of actions in excess of \$25,000.00 which are awarded using informal procurement procedures in response to an emergency or urgency requirement.

RECOMMENDATION: Approval

**F. Public Safety**

Tab 12 Approval to secure property in the Paisley/Lake Kathryn area for the construction of a new fire station and approach the Department of Forestry to determine if it has a suitable site that it would be willing to negotiate.

RECOMMENDATION: Approval

**G. Public Works**

Tab 13 Approval and signature on the Resolution dissolving the Bicycle/Pedestrian Advisory Committee.

RECOMMENDATION: Approval

Tab 14 Approval to advertise Ordinance amending Section 14.07.07, Lake County Code, Appendix E, Land Development Regulations, entitled Final Plat Requirements.

RECOMMENDATION: Approval

- Tab 15 Approval and authorization to release a Maintenance Bond in the amount of \$50,000.00 posted for Silver Creek Phase I. Silver Creek PUD consists of 116 lots – Commission District 2.
- RECOMMENDATION: Approval
- Tab 16 Approval and authorization to release a Maintenance Bond in the amount of \$24,613.57 posted for Windscape Phase III. Windscape Phase III consists of 50 lots – Commission District 2.
- RECOMMENDATION: Approval
- Tab 17 Approval and authorization to accept the final plat for Bella Ladera and all areas dedicated to the public as shown on the Bella Ladera plat. Bella Ladera consists of seven lots – Commission District 3.
- RECOMMENDATION: Approval
- Tab 18 Approval and signature on Resolution authoring the posting of a "STOP" sign on Thomas Avenue (5108) and CR 25A (5507) at their intersection with Urick Street (5407) in the Leesburg area.
- RECOMMENDATION: Approval
- Tab 19 Approval and authorization to release a Maintenance Bond in the amount of \$12,205.20 posted for Spring Valley Roper Boulevard Improvements.
- RECOMMENDATION: Approval
- Tab 20 Approval and authorization to release a Maintenance Bond in the amount of \$48,683.00 posted for Spring Valley Phase I. Spring Valley Phase I consists of 70 lots – Commission District 2.
- RECOMMENDATION: Approval
- Tab 21 Approval and authorization to release a Maintenance Bond in the amount of \$27, 627.95 posted for Spring Valley Phase V. Spring Valley Phase V consists of 55 lots – Commission District 2.
- RECOMMENDATION: Approval



Tab 22 Approval and authorization to release a Maintenance Bond in the amount of \$32,144.16 posted for Spring Valley Phase II. Spring Valley Phase II consists of 47 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 23 Approval and authorization to release a Maintenance Bond in the amount of \$25,135.80 posted for Spring Valley Phase III. Spring Valley Phase III consists of 34 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 24 Approval and authorization to release a Maintenance Bond in the amount of \$30,368.60 posted for Spring Valley Phase IV. Spring Valley Phase IV consists of 74 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 25 Approval and authorization to release a Maintenance Bond in the amount of \$17,343.00 posted for Spring Valley Phase VI. Spring Valley Phase VI consists of 56 lots – Commission District 2.

RECOMMENDATION: Approval

Tab 26 Approval and authorization to release a Letter of Credit for Performance in the amount of \$6,886,597.32 posted for Verde Ridge Unit I; and request authorization to release a Letter of Credit for Performance in the amount of \$9,694,672.14 posted for Verde Ridge Unit 2. Verde Ridge Units I and II consist of 212 and 190 lots respectively – Commission District 2.

RECOMMENDATION: Approval

Tab 27 Approval for funding and the transfer of funds from General Fund Reserve for Operations for repairs at Astor Park to replace the electrical panel and feed which was struck by lightning, the removal of the existing dugouts and concrete slabs and their replacement with designed dugouts, and the installation of a scoreboard which has already been purchased.

RECOMMENDATION: Approval

**V. COUNTY MANAGER'S DEPARTMENTAL BUSINESS**

**VI. PRESENTATIONS/PUBLIC HEARING**

**A. PRESENTATIONS – 9:00 A.M. or as Soon Thereafter**

**1. PRESENTATIONS**

Tab 28      **PRESENTATION:** Fast-Track Orlando Metro VA Medical Center by Colonel Dennis Freytes (U.S. Army Retired), National Association for Uniformed Services and Approval for Chairman to Sign and Send Letter to the Lake County Legislative and Congressional Delegations Conveying Support

Tab 29      **PRESENTATION:** Approval and Presentation of Step Up, Florida Day in Lake County on February 21, 2006

Tab 30      **PRESENTATION:** Approval and Presentation of Resolution Officially Declaring the Week of February 19 through 25, 2006 as National Engineers Week in Lake County

Tab 31      **PRESENTATION:** Executive Summary of the Comprehensive Plan "Planning Horizon 2025"

**B. PUBLIC HEARING – 9:00 A.M. or as Soon Thereafter**

**1. PUBLIC HEARING**

Tab 32      **PUBLIC HEARING:** Proposed Uses of Fiscal Year 2006-2007 Community Development Block Grant (CDBG) Funds

**VII. OTHER BUSINESS (Tab 33 and 34)**

Tab 33      Appointment of an individual to the vacant "Resident who is a concerned citizen for affordable housing" position on the Affordable Housing Advisory Committee. *(Rescheduled from the January 10, 2006 and January 24, 2006 BCC Meetings)*

Tab 34      Appointment affirmation of individuals to upcoming vacant positions on the Lake County Library Advisory Board.

## **VIII. REPORTS**

**A. County Attorney**

**B. County Manager (Tab 35)**

Tab 35      Approval of policy regarding the naming of county facilities and placement of memorials.

**C. Commissioner Hill – District #1**

**D. Commissioner Pool – District #2**

**E. Commissioner Stivender – District #3**

**F. Commissioner Hanson – Chairman and District #4 (Tab 36)**

Tab 36      Discussion of the University of Central Florida's request that Lake County consider making a contribution toward the proposed UCF Medical School.

**G. Commissioner Cadwell – District #5**

## **CITIZEN QUESTION AND COMMENT PERIOD**

**At this point in the meeting, the Board of County Commissioners will hear questions, comments, and concerns from the citizens of Lake County. Action will not be taken by the Board at this meeting but questions may be answered by staff or issues may be referred for appropriate staff action. If further action is necessary, the item may be placed on the agenda for further review and consideration. NOTE: Zoning or code enforcement matters which may be coming before the Board at a later date should not be discussed until such time as they come before the Board in a public hearing.**

**The County Commission reserves the right to move any Agenda item to an earlier time during the day as its schedule permits, except in the case of items and appointments that have been advertised in a newspaper for a specific time.**

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**Pursuant to the provisions of Chapter 286, Florida Statutes, Section 286.0105, if a person decides to appeal any decision made by the County Commission with respect to any matter considered at this Commission meeting, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record may include the testimony and evidence upon which the appeal is to be based.**

**Persons with disabilities needing assistance to participate in any of these proceeding should contact the Department of Facilities Development and Management at (352) 343-9760, 48 hours in advance of the scheduled meeting.**

**TENTATIVE AGENDA**

**FEBRUARY 28, 2006**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

**TENTATIVE AGENDA**

**MARCH 7, 2006**

9:00 A.M. Regular Meeting

9:00 A.M. PUBLIC HEARING: Ordinance Dissolving the Agricultural Advisory Committee  
or as Soon  
Thereafter

**TENTATIVE AGENDA**

**MARCH 14, 2006**

9:00 A.M. Regular Meeting

9:00 A.M. PRESENTATION: Revised Employee Awards & Recognition Program by the Special Thanks  
or as Soon and Recognition Team (STAR)  
Thereafter

**TENTATIVE AGENDA**

**MARCH 28, 2006**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

**TENTATIVE AGENDA**

**APRIL 4, 2006**

9:00 A.M. Regular Meeting

**TENTATIVE AGENDA**

**APRIL 11, 2006**

9:00 A.M. Regular Meeting/Tentative

**TENTATIVE AGENDA**

**APRIL 18, 2006**

9:00 A.M. Regular Meeting

**TENTATIVE AGENDA**

**APRIL 25, 2006**

9:00 A.M. Regular Meeting (Zoning and Road Vacations)

**TENTATIVE AGENDA**

**MAY 2, 2006**

9:00 A.M. Regular Meeting